



Town of Porter

Organizational Meeting

3265 Creek Road
Youngstown, NY 14174
TownofPorter.Net

~ Minutes ~

Gail Zachary

Monday, January 3, 2011

3:00 PM

Town Hall Auditorium

I. Call to Order

3:00 PM Meeting called to order on January 3, 2011 at Town Hall Auditorium, 3265 Creek Rd., Youngstown, NY.

Attendee Name	Organization	Title	Status	Arrived
Mert Wiepert	Town of Porter	Supervisor	Present	
Thomas Baia	Town of Porter	Deputy Supervisor	Present	
Larry White	Town of Porter	Councilman	Present	
Jeff Baker	Town of Porter	Councilman	Present	
Joe Fleckenstein	Town of Porter	Councilman	Present	
Dave Truesdale	Town of Porter	Town Justice	Present	
Gail Zachary	Town of Porter	Town Clerk	Present	
Norm Ault	Town of Porter	Bookkeeper	Present	
Scott Hillman	Town of Porter	Highway Superintendent	Present	

II. Resolutions/Reports

1. Report 2011-1

Opening Statements

Supervisor Wiepert welcomed everyone, reporting that 2010 was a productive year for the Town; establishing a new zoning law and a new dog licensing law.

Mr. Wiepert stated it was a good year for rentals of the pavilion at Porter-On-The-Lake and also for the Labor Day Fest, held there, which netted over \$10,000. The Cabbage Festival was a fun, family event but, because of the weather, not as well attended as previous years. He thanked all the committees involved.

Supervisor Wiepert expressed his appreciation of the Greenway and CWM funds, earmarked for POTL. The drainage progress made, were mentioned by Supervisor Wiepert. He thanked the drainage committee; Scott Hillman, Jeff Baker and Joe Fleckenstein.

He also wished Karen Cristiano, former Highway Clerk, an enjoyable retirement. Mrs. Cristiano retired October 1, 2010, after ten years of employment with the Town.

Mr. Wiepert did say that revenues were less (e.g. CWM \$150,000 down from last year) and the retirement premiums have almost doubled.

Pat Mackey and Tom Beachy on behalf of about 55 residents of Youngstown Estates (there are approximately 159 homeowners in the Estates), presented a petition to revert to the prior zoning law where boat trailers are not allowed in driveways/front yards. They feel this law should be clarified; less vague.

RESULT: REPORT ISSUED

2. Resolution 2011-1

Appoint Attorney & Engineer for 2011

Reappoint Michael J. Dowd as Attorney for the Town for the year 2011 at \$20,000.00, to be distributed as follows: 50% town-wide, 25% Zoning and 25% Planning, and to authorize the Supervisor to sign the contract.

Reappoint Attorney Michael J. Dowd as Town Prosecutor for 2011 at \$8,000.00, and authorize the Town Supervisor to sign the contract.

Appoint CRA Infrastructure & Engineering, Inc. as Town Engineer for 2011 at \$7,200.00, and authorize the Town Supervisor to sign the contract.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Jeff Baker, Councilman
SECONDER: Thomas Baia, Deputy Supervisor
AYES: Wiepert, Baia, White, Baker, Fleckenstein

3. Resolution 2011-2

Zoning Board of Appeals Appointment for 2011

Appoint John "Duffy" Johnston as Chairman of the Town of Porter Zoning Board of Appeals for 2011.

RESULT:	TABLED [UNANIMOUS]	Next: 1/10/2011 7:00 PM
MOVER:	Jeff Baker, Councilman	
SECONDER:	Thomas Baia, Deputy Supervisor	
AYES:	Wiepert, Baia, White, Baker, Fleckenstein	

4. Resolution 2011-24

Zoning Board Appointments

Resolution to appoint Nancy Smithson as secretary of the Town of Porter Zoning Board of Appeals for the year 2011 and William Tower as a member of the Porter Zoning Board of Appeals, term ending 12/31/2015.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Thomas Baia, Deputy Supervisor
SECONDER:	Larry White, Councilman
AYES:	Wiepert, Baia, White, Baker, Fleckenstein

5. Resolution 2011-3

Planning Board Appointments for 2011

Reappoint George Spira to Planning Board for a term beginning 1/1/2011 and ending 12/31/2015.

Appoint George Spira as Chairman of the Town of Porter Planning Board for the year 2011.

Reappoint Pamela Parker as Secretary of the Town of Porter Planning Board for the year 2011.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jeff Baker, Councilman
SECONDER:	Larry White, Councilman
AYES:	Wiepert, Baia, White, Baker, Fleckenstein

6. Resolution 2011-4

Set Salaries & Appts. for Gen Fund "A" in 2011

TOWN BOARD 1-1010	Town Supervisor Councilman	\$29,391 p/y 7,165 p/y
JUSTICES 1-1110	Town Justice David J. Truesdale Town Justice Walter C. Holmes Justice Clerk Lisa Hastings Court Officer Tim Wilkesmore Court Officer Richard Schmidt	\$16,242 p/y 16,242 p/y 18.13 p/h 10.95 p/h 10.95 p/h
SUPERVISOR 1-1220	Confidential Secretary to the Supervisor Norm Ault Deputy Supervisor Thomas Baia	\$39,411 p/y 515 p/y
INDEP AUDIT 1-1320	Brown & Company, LLP	\$7,800 p/y
TAX COLLECTOR 1-1330	Tax Collector Sally A. Hogan Deputy Tax Collector Patricia Cranston	\$5,650 p/y 828 p/y
BUDGET 1-1340	Budget Officer Merton K. Wiepert Ass't. Budget Officer Norm Ault	\$1,445 p/y 3,835 p/y
ASSESSOR 1-1355	Acting Assessor Barbara Oaks R.P.T.-Trainee Susan Driscoll Board of Review	\$31.21 p/h \$16,467 p/y 75.00 Day
TOWN CLERK 1-1410	Town Clerk Gail A. Zachary Deputy Town Clerk Barbara DuBell Deputy Town Clerk Norm Ault	\$36,745p/y 32,997p/y 1,000 p/y
BUILDING 1-1620	Town Hall Cleaning Debbie Prohaska: Per Contract	\$38.00p/d (2-Days per week)
SUPT. OF HWYS 1-5010	Highway Superintendent Scott Hillman	\$34,355p/y
HISTORIAN 1-7510	Town Historian Sue Dietz Deputy Town Historian Rosanne Moje	\$2,212p/y 644 p/y

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jeff Baker, Councilman
SECONDER:	Larry White, Councilman
AYES:	Wiepert, Baia, White, Baker, Fleckenstein

7. Resolution 2011-5

Set Salaries & Appts. for Gen Fund "B" for 2011

POLICE AND CONSTABLE

2-3120 Appoint School Crossing Guard Rosanne Moje \$11.97 p/h

SAFETY Appoint Building Inspector Roy Rogers \$17,373 p/y
2-3620 Susan Driscoll - R.P.T.-Trainee \$13,089 p/y

REGISTRAR Gail A. Zachary, Registrar of Vital Statistics \$5,952p/y
2-4020 Barb DuBell, Deputy Registrar of Vital Statistics 1,674p/y
Norm Ault, Deputy Registrar of Vital Statistics 500 p/y

YOUTH PROGRAMS YouthProgramDirector Kathryn Zasucha \$8,989 p/y
2-7310 Ass't. Director Terry Nyland 5,282 p/y
Story Hour Director Ramona Lockhart 5,469p/y
Ass't StoryHour Director Teresa Bednarczyk 4,107p/y
Ass't Story Hour Director Sharon Rugg 4,107p/y
Clerk Marie Oblamski 3,685p/y
Summer Recreation Leaders P/T (Returnee) 8.53p/h
Summer Recreation Leaders P/T 7.25p/h

ZONING Chairman \$2,000/Yr Plus
2-8010 \$ 65 per/Zoning Board Meeting
Secretary Nancy Smithson 3,685 p/y
Susan Driscoll - R.P.T.-Trainee 750p/y
Members & Alternate \$65per/Planning Board Meeting (with
15 meeting Cap. \$975 max)

PLANNING Chairman \$2,000/Yr Plus
2-8020 \$ 65 per/Planning Board Meeting
Secretary Pamela Parker 4,388 p/y
Susan Driscoll - R.P.T.-Trainee 750 p/y
Members & Alternate \$ 65 per/Zoning Board Meeting (with
15 meeting Cap. \$975 max)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Thomas Baia, Deputy Supervisor
SECONDER:	Jeff Baker, Councilman
AYES:	Wiepert, Baia, White, Baker, Fleckenstein

8. Resolution 2011-25

Grant Writer

Resolution to appoint Bernie Rotella on a month-to-month contract for 2011 at \$800.00 per month and 2% commission, with a maximum of \$5,000. Commission to be paid when grant check is received.

RESULT:	TABLED [UNANIMOUS]	Next: 1/10/2011 7:00 PM
MOVER:	Larry White, Councilman	
SECONDER:	Thomas Baia, Deputy Supervisor	
AYES:	Wiepert, Baia, White, Baker, Fleckenstein	

9. Resolution 2011-6

Set Salaries & Appts Hwy Dept for 2011

HIGHWAY DEPARTMENT

Deputy Highway Supt. David Gombert	22.26 p/h***
MEO (Motor Equipment Operator)	\$14.47p/h to \$21.26p/h***
Laborer (1) P/T	13.20 p/h
Laborer (II) Summer Help (Returnee)	9.36 p/h
Laborer (II) Summer help (New Hire)	7.25 p/h
Laborer Substitute P/t	9.93p/h
Truck Driver P/T (I)	13.20p/h
Truck Driver P/T (II)	9.36 p/h
Clerk Sarah Tuttle	11.65 p/h

Authorize the Highway Superintendent to purchase pipe, stone, asphalt, etc., at County Bid Prices. Salt, Tires, etc., at State Bid Prices. Tools at prices not to exceed \$1,500.00 without prior approval by the Town Board.

WATER AND SEWER DEPARTMENT

Superintendent (Water) Scott Hillman	\$15,041 p/y
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Superintendent (Sewer) Scott Hillman	14,170 p/y
Water/Sewer Billing Clerk Ramona Lockhart	15.39 p/h
Water Collection Clerk Gail A. Zachary	5,111 p/y
Sewer Collection Clerk Gail A. Zachary	2,813 p/y
WSMM (Water/Sewer Maint. Person #1)	22.26 p/h***
WSMM (Water/Sewer Maint. Person #2)	\$14.47p/h to \$21.26p/h***

***See additional benefits

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Larry White, Councilman
SECONDER:	Jeff Baker, Councilman
AYES:	Wiepert, Baia, White, Baker, Fleckenstein

10. Resolution 2011-7

Miscellaneous Appointments for 2011

Reappoint Supervisor Merton K. Wiepert as Budget Officer for the year 2011.

Reappoint Sue Lambert as Chairman of the Town of Porter Recreation Commission for the year 2011.

Reappoint Robert Reese as Porter on the Lake grounds person for the year 2011 at the same rate of \$8.00 per hour.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jeff Baker, Councilman
SECONDER:	Larry White, Councilman
AYES:	Wiepert, Baia, White, Baker, Fleckenstein

11. Resolution 2011-8

Set Additional Benefits for 2011 as Budgeted

***Longevity Schedule for full-time employees:

10 Years Service: Additional	\$175.00
15 Years Service: Additional	\$425.00
20 Years Service: Additional	\$725.00
25 Years Service: Additional	\$1,025.00

Set Health Reimbursement Account: \$700 annual, Full time employees, and \$500 annual for Grandfathered employees.

Set work boot reimbursement \$150 for 2011 (For full time DPW Employees)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Thomas Baia, Deputy Supervisor
SECONDER:	Larry White, Councilman
AYES:	Wiepert, Baia, White, Baker, Fleckenstein

12. Resolution 2011-9

Set Town Board Meetings for 2011

Set the regular Town of Porter, Town Board meetings on the second Monday of each month at 7:00 P.M. in the Porter Town Hall, 3265 Creek Road, Youngstown, NY, throughout the year of 2011, except for October. That meeting will be on Tuesday, October 11th due to the Columbus Day holiday.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jeff Baker, Councilman
SECONDER:	Thomas Baia, Deputy Supervisor
AYES:	Wiepert, Baia, White, Baker, Fleckenstein

13. Resolution 2011-10

Set Water & Sewer Rates for 2011

WATER AND SEWER RATES Effective for January 1, 2011:

Gallons	
0-7,000 Gallons	\$15.75 Minimum

7,000 - 20,000 Gallons	\$2.26 per thousand
20,000 - 100,000 Gallons	\$2.00 per thousand
Over 100,000	\$1.50 per thousand (Irrigation Rate)

New York State Parks Minimum charge of:	\$329.61
First 100,000 gallons	182.29
Over 100,000 gallons	\$1.50 per thousand

All water bills will be charged an additional 10% surcharge to be used to build up the Water Reserve account for anticipated Capital Projects.

Village of Youngstown \$1.66 per thousand

Existing Tapping

5/8" x 3/4" Meter with Outside Dial (normal house installation)	\$200
5/8" x 3/4" Meter with Outside Dial (meter pit)	625
1" Meter with Outside Dial (normal house installation)	300
1" Meter with Outside Dial (meter pit)	825

New Service

3/4" Direct tap service w/Orion meter (House Installation)	750
3/4" Direct tap service w/Orion meter (Meter Pit)	1,100
1" Direct tap service w/Orion meter (House Installation)	925
1" Direct tap service w/Orion meter (Meter Pit)	1,375
1-1/2" Service provided upon application (price to be determined)	
2" Service provided upon application (price to be determined)	
Service Charge	25 (on/off)
Water / Sewer Inspection for Sale of Property	80
Water Inspection for Sale of Property	40
Sewer Hook-Up Fee	700
Lewiston Sewer treatment Fee	per contract
After hours turn on/turn off or sewer inspection	100/100
Compliance letter for sale of property	5
Hydrant Meter Deposit	100

Sewer Rates Effective for January 1, 2011:

Village of Youngstown	\$4.05 per thousand
Fort Niagara State Park	4.05 per thousand
Town of Porter	
	0-7,000 \$28.25
	Over 7,000 4.05 per thousand

Treatment Rate to Town of Lewiston \$2.75 per thousand gallons.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jeff Baker, Councilman
SECONDER:	Thomas Baia, Deputy Supervisor
AYES:	Wiepert, Baia, White, Baker, Fleckenstein

14. Resolution 2011-11

Fees for 2011

Building /Zoning/Planning Fees - 2011

One (1) family house	\$300 for up to 3,000 sq/ft then \$0.25 per sq/ft
Two (2) family house	400
Addition to house/trailer	100
Garage addition/New garage/Pole barn	50
Shed, Porch, Deck	25
Commercial building, Condo (3 or more units) (plus engineering cost recovery)	500 plus 100 Per Unit
Commercial telephone tower	500
Addition to commercial building (non-residential)	125
Demolish building	25
Alterations	50
Public Hearing Fee - Zoning Board	100
Public Hearing Fee - Planning Board	100
Fences	25
Pool - above ground	25
Pool - in ground	50
Wind energy conversion system (per tower)	100
Temporary use permit	50
Change of use permit	50
Certificate of legal non-conformity	50
Outdoor wood-burning furnace	50

ANY project, requiring a building permit, started prior to having received the permit, shall be subject to a \$250.00 per day fine.

Engineering Cost Recovery Fees:
Residential: \$500 plus \$50 per lot or living unit
Commercial: \$2,000 per structure

STORMWATER FEES:For Single-Phase Residential & Commercial Development Projects ("Scheme A"):

0 - 5 Acres: \$500.00

5 - 10 Acres: \$500.00 + \$350.00 = \$850.00

10 + Acres: \$850.00 + \$300.00 for each additional 5 acres

For Multi-Phase Residential & Commercial Development Projects ("Scheme B"):

1. When the entire project is first being reviewed and approved by the municipality, use Scheme A above to determine an initial fee based on the entire acreage of the project to be developed in several phases.

2. Add \$500.00 for each subsequent phase after the first initial phase, to be collected at

the beginning of each subsequent phase.

TOWN CLERK FEES:

2011 Dog Fees:

Spayed/Neutered	Total Fee:	\$ 10.00
Not spayed/neutered	Total Fee:	\$ 18.00
Purebred	Total Fee:	\$ 25.00

Set \$20.00 fee on each check tendered as payment and returned for INSUFFICIENT FUNDS.

Subdivision Regulations	\$10.00 + postage
Zoning Book	30.00 + postage
Master Plan	25.00 + postage
Zoning Maps	10.00 + postage
Genealogy Search (Certified)	5.00
F.O.I.L. & Minutes Copies	.25 per page
Copy of:	
Marriage Certificate	10.00
Birth Certificate	10.00
Death Certificate	10.00

Set Fax Charges as follows: \$2.00/fax.

Set Photocopy charges as follows:	Letter Size	.15 each
	Legal Size	.25 each
	11" x 17"	.30 each

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Thomas Baia, Deputy Supervisor
SECONDER:	Larry White, Councilman
AYES:	Wiepert, Baia, White, Baker, Fleckenstein

15. Resolution 2011-12

Storm Water Management

Appoint Timothy Lockhart as the Stormwater Management Officer for 2011.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Thomas Baia, Deputy Supervisor
SECONDER:	Larry White, Councilman
AYES:	Wiepert, Baia, White, Baker, Fleckenstein

16. Resolution 2011-13

2011 Holiday Schedule

Approve the Holiday Schedule for 2011 as follows:

New Year's Day	Friday, December 31, 2010
Martin Luther King, Jr Day *	Monday, January 17, 2011
President's Day **	Monday, February 21, 2011
Good Friday	Friday, April 22, 2011
Memorial Day (Observed)	Monday, May 30, 2011
Independence Day	Monday, July 04, 2011
Labor Day	Monday, September 05, 2011
Columbus Day (Observed)	Monday, October 10, 2011
Election Day	Tuesday, November 08, 2011
Veteran's Day	Friday, November 11, 2011
Thanksgiving Day	Thursday, November 24, 2011
Day After Thanksgiving	Friday, November 25, 2011
Christmas Day	Monday, December 26, 2011
New Year's Day	Monday, January 02, 2012

* The Highway Department will receive the FIRST DAY OF SMALL GAME SEASON IN PLACE OF MARTIN LUTHER KING JR. DAY.

** The Highway Department will receive the FIRST WORK DAY OF BIG GAME SEASON IN PLACE OF PRESIDENT'S DAY.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jeff Baker, Councilman
SECONDER:	Thomas Baia, Deputy Supervisor
AYES:	Wiepert, Baia, White, Baker, Fleckenstein

17. Resolution 2011-14**2011 Contracts**

Approve the following Contracts as budgeted and authorize the Town Supervisor to sign the Contracts as they come due in 2011.

01-1989.0004	Village of Youngstown (Village Center Recreation, Senior Citizens)	10,000
01-1989.0004	Village of Youngstown	10,000
01-6460.0004	Industrial Dev (NIACAP-Niagara Community Action Program)	4,000
01-6510.0004	American Legion O Leo Curtis Post 830 (Maintenance) Ransomville	2,000
01-6510.0004	Veterans of Foreign Wars Post 813 Youngstown	2,000
01-6772.0004	Youngstown Senior Citizens (Services)	1,500
01-6772.0004	Ransomville Rural Retirees (Services)	1,500
02-6989.0004	LNRRCOC Annual Contract	10,000
02-6989.0004	LNRRCOC Annual Contract	7,500
02-6989.0004	LNRRCOC Special Event	2,500
01-7410.0004	Youngstown Free Library	71,234
01-7410.0004	William J McLaughlin Free Library	71,234
01-7520.0004	Ransomville Historical Project	1,500
01-7520.0004	Old Fort Niagara Association	20,000
01-7520.0004	Town of Porter Historical Society (Program Maintenance)	2,000
01-7550.0004	Ransomville Country Faire (Ransomville Historical Project)	1,000
01-7550.0004	Village of Lewiston Fireworks	1,000
01-7550.0004	Lighting of the Wreaths (Ransomville Historical Project)	1,500
01-8510.0004	Ransomville Business Professional Assn. (Comm Beautification)	2,000
01-8510.0004	Ransomville Garden Club (Flowers)	700
02-7310.0004	Niagara Pioneer Soccer League	1,000
02-7310.0004	Wilson Youth Baseball (Baseball Program)	500
02-7310.0004	Youngstown Senior Citizens (Activity Programs)	1,700
02-7310.0004	Ransomville Rural Retirees (Activity Programs)	1,700
01-7550.0004	Youngstown Field Day Fireworks	1,500

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Thomas Baia, Deputy Supervisor
SECONDER:	Joe Fleckenstein, Councilman
AYES:	Wiepert, Baia, White, Baker, Fleckenstein

18. Resolution 2011-15**Miscellaneous Authorizations for 2011**

Authorize the Highway Superintendent to use Town forces and/or town equipment for shared services and to aid municipalities that declare a STATE OF EMERGENCY.

Set Mileage Rate at 50 Cents/Mile.

Set the Town Hall Hours:

Monday - Friday 8:00 AM until 4:00 PM

**Designate Official Banks: HSBC, Youngstown, New York
First Niagara Commercial Bank, Troy NY**

Designate Official Newspaper: Niagara Gazette, Niagara Falls, NY

Authorize the following to attend the Association of Towns Convention in New York City from February 20-23, 2011: one Town Board member, Town Justices', Town Supervisor, one Zoning Board Member, one Planning Board Member. Reimbursement limits are \$1,350.00 for two days and, if required to stay over, \$1,725.00 for three days.

Appoint George Spira as the Town Delegate to the Association of Towns' Convention in New York City and appoint David Truesdale as the Town Alternate to the Association of Towns' Convention February 20-23, 2011 in New York City.

Authorize and set the following: PETTY CASH: Town Justices \$50.00 each, Water Clerk \$50.00, Town Clerk \$50.00, Tax Collector \$100.00, and Highway Department \$40.00.

Authorize the Town Justices to hire a Court Stenographer when needed, and set Jury Fees as follows: \$10.00 if called and reported, \$40.00 if seated.

Authorize the following: For the betterment of Town Government, authorize the payment of the following dues: Supervisors' and County Legislators' Association, New York State Association of Town Magistrates (for both Justices), New York State Assessors' Association, Niagara County Assessors' Association, New York State Association of Tax Collectors and Receivers, Niagara County Water Supervisors' Association, New York State Association of Town Highway Superintendents, American Waterworks Association, Environmental Association, New York State Association of Town Clerks, Niagara County Town Clerks Association, International Construction Expo, Niagara County Magistrates (for both Justices), New York State Planning Board Association, New York State Association of Town's Dues for 2011, and NYS-GFAO Association Dues for 2011.

Authorize the payment in advance of audit of claims for public utility services such as gas, electric, water, sewer, fuel oil, telephone services, as well as for postage, freight, and express charges, time sensitive payments and payment on Medical Reimbursement Accounts.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Thomas Baia, Deputy Supervisor
SECONDER:	Larry White, Councilman
AYES:	Wiepert, Baia, White, Baker, Fleckenstein

19. Resolution 2011-16**Supervisor's Committees & Liasons for 2011****SUPERVISOR'S COMMITTEES:**

Deputy Supervisor- Thomas Baia
Insurance- Gail Zachary, Norm Ault, and Tom Baia.
Water-Merton Wiepert, Scott Hillman, Jeff Baker.
Sewer- Joe Fleckenstein, Scott Hillman, and Larry White.
Land-ALL TOWN BOARD MEMBERS and Roy Rogers
Cable TV-Tom Baia, Joe Fleckenstein
Refuse- Tom Baia, Norm Ault and Joe Fleckenstein.
Audit Committee- Norm Ault, Tom Baia, and Larry White
Drainage - Joe Fleckenstein and Jeff Baker
G.I.S. - Susan Driscoll (Coordinator), Scott Hillman, Norm Ault
Employee Compensation - Joe Fleckenstein, Larry White, Gail Zachary, Norm Ault

LIAISONS:

CWM- (Citizens Advisory Committee) Merton Wiepert, William Choboy and J. Anthony Collard.
Village of Youngstown-Tom Baia
Recreation Department-Merton Wiepert
Niagara Falls Area Chamber of Commerce-Tom Baia
Libraries-Larry White
Fire Companies-Tom Baia, Youngstown and Jeff Baker, Ransomville.
Human Relations- Joe Fleckenstein, Merton Wiepert and Norm Ault
Highways-Joe Fleckenstein, Scott Hillman, and Larry White
Buildings-David Truesdale, Merton Wiepert and Scott Hillman
Planning Board- Joe Fleckenstein and Tom Baia
Zoning Board- Jeff Baker and Larry White
Historical Societies-Merton Wiepert
Master Plan Committee-Joe Fleckenstein and Tom Baia
Lower Niagara River Chamber of Commerce - Merton Wiepert & Jeff Baker
L.O.O.W. (Restoration Advisory Board) - William Choboy
Greenway (Power Authority)

RESULT:	ADOPTED [4 TO 1]
MOVER:	Mert Wiepert, Supervisor
SECONDER:	Jeff Baker, Councilman
AYES:	Mert Wiepert, Thomas Baia, Larry White, Jeff Baker
NAYS:	Joe Fleckenstein

20. Resolution 2011-17

Procurement Policy

Town of Porter Procurement Policy

WHEREAS, General Municipal Law (GML) § 104-b requires every town to adopt internal policies and procedures governing all procurement of goods and services not subject to the bidding requirements of GML § 103 or any other law; and

WHEREAS, comments have been solicited from those officers of the town involved with procurement; NOW THEREFORE, be it

RESOLVED: That the Town of Porter does hereby adopt the following procurement policies and procedures:

Guideline 1. Every prospective purchase of goods or services shall be evaluated to determine the applicability of GML § 103. Every town officer, board, department head or other personnel with the requisite purchasing authority (hereinafter "Purchaser") shall estimate the cumulative amount of the items of supply or equipment needed in a given fiscal year. That estimate shall include the canvass of other town departments and past history to determine the likely yearly value of the commodity to be acquired. The information gathered and conclusions reached shall be documented and kept with the file or other documentation supporting the purchase activity.

Guideline 2. All purchases of a) supplies or equipment which will exceed \$10,000 in the fiscal year or b) public works contracts over \$20,000 shall be formally bid pursuant to GML § 103.

Guideline 3. All estimated purchases of:

- Less than \$10,000 but greater than \$3,000 require a written request for a proposal (RFP) and written/fax quotes from three vendors.
- Less than \$3,000 but greater than \$1,000 requires an oral request for the goods and oral/fax quotes from two vendors.
- Less than \$1,000 but greater than \$250 is left to discretion of the Purchaser.

All estimated public works contracts of:

- Less than \$20,000 but greater than \$10,000 requires a written RFP and fax/proposals from three contractors.
- Less than \$10,000 but greater than \$3,000 requires a written RFP and fax/proposals from two contractors.
- Less than \$3,000 but greater than \$500 is left to the discretion of the Purchaser.

Any written RFP shall describe the desired goods, quantity and the particulars of

delivery. The Purchaser shall compile a list of all vendors from whom written/fax/oral quotes have been requested and the written/fax/oral quotes offered.

All information gathered in complying with the procedures of this Guideline shall be preserved and filed with the documentation supporting the subsequent purchase or public works contract.

Guideline 4. The lowest responsible proposal or quote shall be awarded the purchase or public works contract unless the Purchaser prepares a written justification providing reasons why it is in the best interest of the town and its taxpayers to make an award to other than the low bidder. [For example, the second low bidder is a business in town, paying town property taxes, and their quote was within 5% of the low bidder which is an out-of-state business or supplier.] If a bidder is not deemed responsible, facts supporting that judgment shall also be documented and filed with the record supporting the procurement.

Guideline 5. A good-faith effort shall be made to obtain the required number of proposals or quotations. If the Purchaser is unable to obtain the required number of proposals or quotations, the Purchaser shall document the attempt made at obtaining the proposals. In no event shall the inability to obtain the proposals or quotes be a bar to the procurement.

Guideline 6. Except when directed by the town board, no solicitation of written proposals or quotations shall be required under the following circumstances:

- (a) Acquisition of professional services;
- (b) Emergencies;
- (c) Sole-source situations;
- (d) Goods purchased from agencies for the blind or severely handicapped;
- (e) Goods purchased from correctional facilities;
- (f) Goods purchased from another governmental agency;
- (g) Goods purchased at auction;
- (h) Goods purchased for less than \$250;
- (i) Public works contracts for less than \$500.

Guideline 7. This policy shall be reviewed annually by the town board at its organizational meeting or as soon thereafter as is reasonably practicable.

The following employees are authorized to make purchasing decisions:

Merton K. Wiepert	Supervisor
Gail Zachary	Town Clerk
Scott Hillman	Highway Superintendent *
David Truesdale	Town Justice
Norman Ault	Bookkeeper

* If the Highway Superintendent is incapacitated then this authorization goes to Dave Gombert and/or Dave Burmaster.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Thomas Baia, Deputy Supervisor
SECONDER:	Jeff Baker, Councilman
AYES:	Wiepert, Baia, White, Baker, Fleckenstein

21. Resolution 2011-18

Town of Porter Cash Management Policy

The objectives of the Investment Policy of the Town of Porter are to minimize risk, to insure the investments mature when the cash is required to finance operations, and to insure a competitive rate of return. In accordance with this policy, the chief fiscal officer is hereby authorized to invest all funds including proceeds of obligations and reserve funds in: **REPURCHASE AGREEMENTS.**

Certificates of Deposit issued by a bank or trust company authorized to do business in New York State.

Time Deposit Accounts in a bank or trust company authorized to do business in New York State.

All other Town of Porter Officials receiving money in the official capacity must deposit such funds in negotiable order of withdrawal accounts.

Repurchase agreements shall be authorized subject to the following restrictions:

- *All repurchase agreements must be entered into subject to a Master Repurchase Agreement.

- *Trading Partners are limited to banks or trust companies authorized to do business in New York State and primary reporting dealers.

- *Obligations shall be limited to obligations of the United States of America and obligations of agencies of the United States of America where principal and interest are guaranteed by the United States of America.

- *No substitution of securities will be allowed.

- *The Custodian shall be a party other than the trading partner.

COLLATERAL

Certificates of Deposit shall be secured by insurance of FDIC. All deposits in excess of FDIC limits shall be collateralized.

WRITTEN CONTRACT

Written Contracts shall be required for the purchase of all Certificates of Deposit.

REPORTING AND AUDIT

The Chief Fiscal Officer shall include, in the Supervisor's Monthly Report, the monies invested in Certificates of Deposit, Time Accounts, and Checking Accounts.

The Town Board of the Town of Porter shall review and approve an annual investment policy and amend if necessary these guidelines at the Organizational Meeting held the first week in January of each fiscal year.

THE CASH MANAGEMENT POLICY WAS ADOPTED ON JANUARY 3, 2011 BY A UNANIMOUS VOTE OF THE TOWN OF PORTER TOWN BOARD.

_____ TOWN CLERK

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jeff Baker, Councilman
SECONDER:	Thomas Baia, Deputy Supervisor
AYES:	Wiepert, Baia, White, Baker, Fleckenstein

22. Resolution 2011-19

Meeting Closure

The Board decided to hold off on any decisions regarding windmills. There is a concern about the actual payback.

With no further business before the Board, the meeting was closed at 3:40 p.m.

Gail A. Zachary
Town Clerk

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jeff Baker, Councilman
SECONDER:	Larry White, Councilman
AYES:	Wiepert, Baia, White, Baker, Fleckenstein
